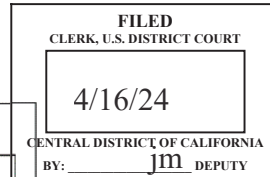
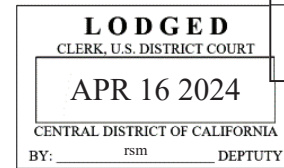


UNITED STATES DISTRICT COURT

for the

Central District of California



United States of America

Plaintiff

v.

EDUARDO AGUILAR,

Defendant

Case No. 2:24-MJ-02233-DUTY

**CRIMINAL COMPLAINT BY TELEPHONE
OR OTHER RELIABLE ELECTRONIC MEANS**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date of April 2, 2024, in the county of Ventura in the Central District of California, the defendant violated:

Code Section

18 U.S.C. § 922(g)(1)

Offense Description

Felon in Possession of a Firearm

This criminal complaint is based on these facts:

Please see attached affidavit.

☒ Continued on the attached sheet.

/s/ Jannah R. Holden, ATF Special Agent

Complainant's signature

Jannah R. Holden, ATF Special Agent

Printed name and title

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by telephone.

Date: 4/16/2024

Judge's signature

City and state: Los Angeles, California

U.S. Magistrate Judge Rozella A. Oliver

Printed name and title

AUSA: Jason A. Gorn x7962

AFFIDAVIT

I, Jannah R. Holden, being duly sworn, declare and state as follows:

PURPOSE OF AFFIDAVIT

1. This affidavit is made in support of a criminal complaint against and warrant to arrest Eduardo AGUILAR ("AGUILAR") for a violation of 18 U.S.C. § 922(g)(1): Felon in Possession of a Firearm.

2. The facts set forth in this affidavit are based upon my personal observations, my training and experience, and information obtained from various law enforcement personnel and witnesses. This affidavit is intended to show only that there is probable cause for the requested complaint and arrest warrant and does not purport to set forth all of my knowledge of or investigation into this matter. Unless specifically indicated otherwise, all conversations and statements described in this affidavit are related in substance and in part only. Further, all dates and amounts are approximations, and the words "on or about" and "approximately" are omitted for clarity.

BACKGROUND OF ATF SPECIAL AGENT JANNAH R. HOLDEN

3. I am a Special Agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives ("ATF"), and have been so employed since September 2020. I am a graduate of the Federal Law Enforcement Training Center ("FLETC") in Glynco, Georgia and have completed specialized training at the ATF National Academy's Special Agent Basic Training course. I am currently

assigned to the ATF Los Angeles Division, Glendale V Field Office, in Glendale, California.

4. I received a Bachelor of Science degree in Criminal Justice from Old Dominion University in Norfolk, Virginia and a Master of Science Degree in Criminology from Boston University in Boston, Massachusetts. I served in the United States Navy and honorably separated in 2004 at the rank of Petty Officer Second Class. I thereafter worked for seven years with the Federal Bureau of Investigation in Norfolk, Virginia and Los Angeles, California. Prior to becoming a Special Agent with ATF, I served as a Special Agent with the Naval Criminal Investigative Service for approximately three years.

5. During my tenure as a Special Agent at ATF, I have received training in federal firearms and drug laws, drug identification, confidential source handling, and various surveillance and investigative techniques. I regularly refer to these laws and regulations during the course of my duties and have written and participated in the execution of several federal search and arrest warrants in violation of these laws. I have participated in surveillance and investigations of individuals illegally possessing and/or trafficking firearms and controlled substances and am familiar with the illicit way firearms and controlled substances are acquired, distributed, and sold. Furthermore, I have participated in investigations involving criminal street gangs engaged in the aforementioned criminal activities.

SUMMARY OF PROBABLE CAUSE

6. On March 29, 2024, the Ventura County Sheriff's Office ("VCSO") obtained a state search warrant for Defendant Eduardo AGUILAR's residence in Oxnard, California (the "SUBJECT RESIDENCE"). VCSO previously knew that both AGUILAR and a third-party, Fernando OCAMPO, were El Rio gang members in Oxnard, California, that associated together, and AGUILAR's and OCAMPO's individual social media posts on Instagram showed each of them separately with what appeared to be the same .22 caliber Long Rifle Mark IV handgun. During the search of the SUBJECT RESIDENCE on April 2, 2024, law enforcement found a Ruger Mark II .22 caliber handgun, loaded with eight rounds of ammunition in AGUILAR's bedroom that was concealed in a pillowcase, and a small gray bag containing twenty-five rounds of .22 caliber ammunition and another .22 caliber magazine on a dresser in AGUILAR's bedroom. AGUILAR admitted to possessing this firearm. AGUILAR has at least two prior felony convictions, including Possession of a Controlled Substance for Sale and Assault with a Deadly Weapon-Not a Firearm.

STATEMENT OF PROBABLE CAUSE

7. Based on my review of law enforcement reports, the search warrant of the SUBJECT RESIDENCE, conversations with other law enforcement agents, and my own knowledge of the investigation, I am aware of the following:

- A. On March 18, 2024, a VCSO detective monitored the Instagram activity of AGUILAR's known associate, Fernando OCAMPO, and observed OCAMPO's March 17, 2024 post with a .22 caliber Long Rifle Mark IV handgun in his waistband.

8. From reviewing law enforcement reports and speaking with VCSO detectives, AGUILAR is an El Rio gang member who goes by the moniker of "Lalo" or "Laylow." AGUILAR is in the middle of the digital photograph below wearing a gray shirt and making an "E" and an "R" with his hands. This to be a common sign used to show pride and allegiance to the El Rio criminal street gang.



9. OCAMPO is a friend of AGUILAR and also an El Rio gang member. OCAMPO is a convicted felon currently under supervision classified as Post Release Offender Supervision. According to

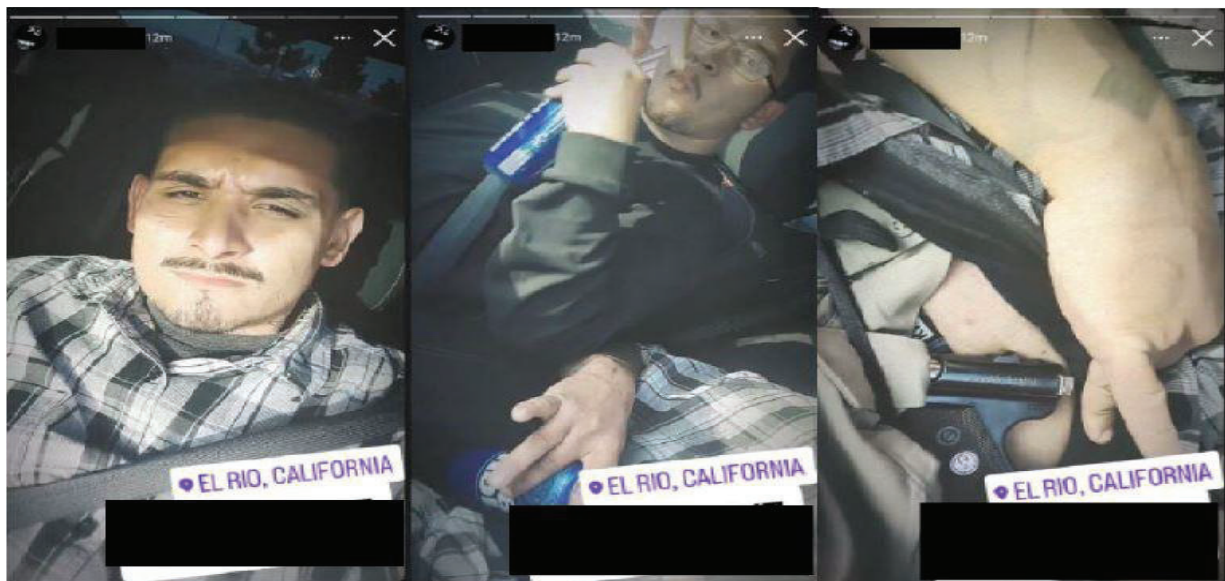
VCSO records, OCAMPO was wearing an ankle monitor as part of his supervised post release terms. VCSO detectives utilized OCAMPO's Global Positioning System (GPS) tracks to confirm he was with AGUILAR multiple times a week.

10. On March 18, 2024, a VCSO detective used a covert social media account to view OCAMPO's Instagram account. The detective knew this account belonged to OCAMPO because OCAMPO posted daily content that showed his face and or tattoos. The detective reviewed OCAMPO's Instagram "Story" which is ephemeral digital content, either videos or photographs, on a storyline that is made available to observe only for a 24-hour period prior to being deleted. While the detective reviewed OCAMPO's Instagram "Story" post, the detective saw an individual he believed to be OCAMPO standing in a residence wearing jeans, with the right hand of the individual gripping the lower receiver of a handgun.



- B. On March 21, 2024, a VCSO detective monitored AGUILAR's Instagram activity and saw a post of AGUILAR with a similar .22 caliber Long Rifle Mark IV handgun in his waistband.**

11. From reviewing law enforcement reports and speaking with VCSO detectives, on March 21, 2024, the same VCSO detective used a covert social media account to view AGUILAR's Instagram account. The detective knew this Instagram account belonged to AGUILAR because AGUILAR consistently posted photos and videos of himself on the account. While the VCSO detective reviewed AGUILAR's Instagram "Story," he watched a digital video posted on March 21, 2024, that showed AGUILAR and OCAMPO driving in a vehicle. In the video, included as screenshots below, the camera panned to AGUILAR's waistband where there was a concealed handgun. As he showed the handgun, AGUILAR flashed an "R" with his right hand. The detective knew this to be a common hand sign for the El Rio gang members make to identify themselves and show allegiance to this gang, and was similar to the hand signal AGUILAR was making in the photograph included above.



12. After viewing the handgun in OCAMPO's waistband on March 17, 2024, and the handgun in AGUILAR's waistband on March 21, 2024, the detective believed it appeared to be the same .22 caliber Long Rifle Mark IV handgun. This opinion was based, in part, on the distinctive logo on the grip of the handgun. Through conducting a Google search, the detective located a .22 caliber Long Rifle Mark IV Target Pistol made by Ruger and believed this to be the same make and model handgun he saw that OCAMPO and AGUILAR had concealed in their waistband.

C. On April 2, 2024, VCSO detectives execute a search warrant at AGUILAR's residence and find a loaded Ruger .22 caliber Long Rifle Mark IV handgun in his bedroom and a separate bag of ammunition with a magazine.

13. On March 29, 2024, VCSO detectives obtained a state search warrant for the SUBJECT RESIDENCE where they believed AGUILAR and other El Rio gang members resided. Once at the SUBJECT RESIDENCE, VCSO detectives executed the search warrant and cleared the property. In a separate structure to the rear of the property, detectives located AGUILAR's bedroom. Within the bedroom were multiple documents with the name "Eduardo AGUILAR," a letter addressed to AGUILAR with the SUBJECT RESIDENCE address, and male clothing. During the search of AGUILAR's bedroom, a detective found a Ruger Mark II, .22 caliber handgun, bearing serial number 223-00765 with eight .22 caliber rounds loaded in the firearm that was concealed in a pillowcase. A photograph of the recovered Ruger is included on the following page.



14. The VCSO detective also found twenty-five .22 caliber rounds in a small gray bag and another .22 caliber magazine. Using law enforcement databases, I determined that the firearm is registered to someone other than AGUILAR. In speaking with a VCSO detective, he believes this to be the same firearm seen in OCAMPO's and AGUILAR's Instagram "Story" posts seen on March 18 and 21, 2024.

15. After returning to VCSO headquarters station, VCSO detectives read AGUILAR his Miranda admonition and AGUILAR acknowledged that he understood his rights before speaking with authorities. A VCSO detective explained to AGUILAR that they found the .22 caliber Ruger firearm in the pillowcase. AGUILAR admitted knowledge of the firearm and stated he obtained the firearm because he believed an unnamed person was trying to kill him. AGUILAR claimed the gun was "clean" and that he did not shoot another person, but that he previously discharged the handgun and described the discharge as: "boom, boom, boom."

AGUILAR also admitted that he knew he was a felon and could not possess a firearm and to using methamphetamine that day.

D. AGUILAR's Criminal History

16. On April 11, 2024, I reviewed AGUILAR's criminal history, as reflected on his National Crime Information Center report, and found that AGUILAR has at least the following convictions, for crimes for which the maximum punishment is greater than one year in prison:

a. June 27, 2017, Possession of a Controlled Substance for Sale, a felony, in violation of Health and Safety Code § 11378; and Assault with a Deadly Weapon: Not a Firearm, a felony, in violation of California Penal Code § 245(a)(1), in Ventura County, Case Number 2017009760, and sentenced to 240 days' jail and 36 months' probation. On March 14, 2018, AGUILAR was sentenced to 180 days' jail for a probation violation in the above case. On August 31, 2018, AGUILAR was sentenced to 210 days' jail for a probation violation in the above case.

E. Interstate nexus

17. On April 11, 2024, ATF Special Agent Christopher Stantzos, who is a certified ATF interstate nexus examiner, examined photographs of the firearm and ammunition that VCSO detectives recovered at the SUBJECT RESIDENCE.

18. Special Agent Stantzos confirmed that the Ruger Mark II, .22 caliber handgun bearing serial number 223-00765 and 33 rounds of ammunition were manufactured outside of California, and therefore traveled in interstate commerce prior to AGUILAR's possession of the firearm and ammunition on April 2, 2024.

CONCLUSION

19. For the foregoing reasons, there is probable cause to issue the requested complaint and arrest warrant.

Attested to by the applicant in
accordance with the requirements
of Fed. R. Crim. P. 4.1 by
telephone on this 16th day of
April, 2024.

A handwritten signature in black ink, appearing to read "Rozella A. Oliver". The signature is written in a cursive, flowing style.

THE HONORABLE ROZELLA A. OLIVER
UNITED STATES MAGISTRATE JUDGE